

EXHIBIT A

AO88 (Rev. 12/06) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

DISTRICT OF _____

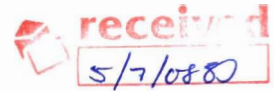
Tammy Barker, et al

V.

SUBPOENA IN A CIVIL CASE

Local 150, International Union of Operating Engineer

Case Number:¹ 08 C 50015



TO: Linda Soria
 16152 South Leach Drive
 Homer Glen, Illinois 60491



- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION 3500 Three First National Plaza
 Chicago, Illinois 60602-4224

DATE AND TIME
 5/16/2008 1:00 pm

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Any and all documents related to Local 150 International Union of Operating Engineers obtaining using or disclosing personal information from motor vehicle records commencing with any record generated after 1994.

PLACE

DATE AND TIME

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

Robert T. Hanlon

Digitally signed by Robert T. Hanlon
 DN: cn=Robert T. Hanlon, o=Law Office of Robert Hanlon, email=rob@hanlonlaw.com, c=US
 Date: 2008.04.24 17:48:54 -0500

DATE

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Robert T. Hanlon
 14212 Washington Street, #200, Woodstock, Illinois 60098

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number

AO88 (Rev. 12/06) Subpoena in a Civil Case

PROOF OF SERVICE

	DATE	PLACE
SERVED	April 25, 2008	16152 S. Leach Drive, Homer Glen IL
SERVED ON (PRINT NAME)		MANNER OF SERVICE
Linda Soria		Personal Delivery
SERVED BY (PRINT NAME)		TITLE
Gerald Baggot		Server

60491

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

April 25, 2008

DATE

SIGNATURE OF SERVER

1812 South State Street Unit #13

ADDRESS OF SERVER

Chicago, IL 60616

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held,

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(e) (1) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).



Case 3:08-cv-50015 Document 27-2 Filed 05/12/2008 Page 4 of 10
 The Law Offices of Robert T. Hanlon & Assoc., P.C.
 14212 Washington Street, Unit B
 Woodstock, Illinois 60098
 815-206-2200

Cardinal Savings Bank, FSB
 70-7378

10344

4/17/2008

TO THE ORDER OF Soria, Linda

\$**50.00

Fifty and 00/100*****

DOLLARS

Linda Soria
 16152 South Leach Drive
 Homer Glen, IL 60491

Void after 90 days

Witness & Mileage Fee for #06-0400

⑈010344⑈ ⑆271973788⑆ 0340006693⑈

The Law Offices of Robert T. Hanlon & Assoc., P.C.

10344

Soria, Linda		4/17/2008		
Date	Type	Reference	Original Amt.	Balance Due
4/17/2008	Bill	#06-0400/41708	50.00	50.00
				Check Amount
				50.00

Cardinal Savings ban Witness & Mileage Fee for #06-0400 50.00

The Law Offices of Robert T. Hanlon & Assoc., P.C.

10344

Soria, Linda		4/17/2008		
Date	Type	Reference	Original Amt.	Balance Due
4/17/2008	Bill	#06-0400/41708	50.00	50.00
				Check Amount
				50.00

Cardinal Savings ban Witness & Mileage Fee for #06-0400 50.00

EXHIBIT B

Law Offices of
ROBERT T. HANLON & ASSOCIATES, P.C.
14212 Washington Street, Suite 200
Woodstock, IL 60098

Robert Thomas Hanlon

Phone 815-206-2200
Fax 815-206-6184
Email: rob@rhanlonlaw.com

May 5, 2008

received
5/12/08
(SAT rec'd separately 5/7)

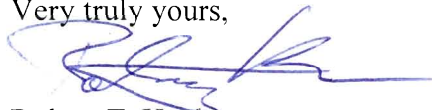
Mr. Dale D. Pierson, General Counsel
IOUE, local 150, AFL-CIO
Legal department
6140 Joliet Rd.
Countryside, IL 60525

Re: Subpoena, Barker *et al* v Local 150, IUOE, Case No. 08 C 50015

Dear Mr. Pierson:

Enclosed is copy of a Subpoena issued to Linda Soria in the above entitled cause for discovery deposition to commence at 1:00pm. On May 16, 2008 to be conducted at the offices of Ungaretti & Harris, 3500 Three First National Plaza, Chicago, IL 60602. I look forward to seeing you on the 16th.

Very truly yours,



Robert T. Hanlon

Cc: Bryan P. Diemer

EXHIBIT C

INTERNATIONAL UNION OF OPERATING ENGINEERS

LOCAL UNION NO. 150, 150B, 150A, 150C, 150RA, 150D, 150G, 150M

AFFILIATED WITH THE A.F.L.-C.I.O.

6140 JOLIET ROAD
COUNTRYSIDE, IL 60525



708-579-6663
FAX 708-588-1647

DALE D. PIERSON
ELIZABETH A. LAROSE
MELINDA S. HENSEL
ROBERT E. ENTIN
BRYAN P. DIEMER

LEGAL DEPARTMENT

CHARLES R. KISER
MARC R. POULOS
ROBERT G. REITER, JR.
MELISSA BINETTI
LAUREN SHAPIRO
KARL E. MASTERS

May 9, 2008

VIA FAX AND REGULAR MAIL

Mr. Robert T. Hanlon
The Law Offices of Robert T. Hanlon & Assoc., P.C.
14212 Washington Street
Woodstock, IL 60098

VIA FAX AND REGULAR MAIL

Mr. Dean J. Polales
Ungaretti & Harris, LLP
3500 Three First National Plaza
Chicago, IL 60602

Re: Barker, *et al.* v. Local 150
Case No. 08 C 50015
Our File No. LI-00154

Dear Sirs:

This letter will confirm Defendant Local 150's request to reschedule the deposition of Linda Soria in the above case. As I stated to Mr. Polales in my telephone message, Local 150 asks that this deposition be rescheduled until Plaintiffs produce the affidavit of Ms. Soria referenced in their 26(a)(1) Disclosures as well as any other documents obtained from her and/or pertinent to her deposition. In any event, as you are probably aware, Local 150 is scheduled to file its Rule 56 motion and supporting materials in MES, et al. v. Local 150, et al., Case No. 05 C 50023, on that date and will be unable to attend the deposition.

Please contact me so that we might reschedule this deposition for a mutually convenient time and/or conduct a conference required by Rule 37.1 of the Local Rules for the Northern District of Illinois. Absent contact from either one of you on this issue, Local 150 will file an appropriate Rule 26 motion with the Court to be heard next Wednesday, May 14, 2008.

Very truly yours,

IUOE, LOCAL 150, AFL-CIO
LEGAL DEPARTMENT

Dale D. Pierson
General Counsel

DDP/lms

cc: William E. Dugan
Bryan P. Diemer (*via e-mail*)
Lauren S. Shapiro

*** TX REPORT ***

TRANSMISSION OK

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RESULT	OK

**INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL 150 LEGAL DEPARTMENT**

6140 JOLIET ROAD
COUNTRYSIDE, ILLINOIS 60525
PHONE: 708/579-6663
FAX: 708/588-1647

FAX COVER SHEET

DATE: May 9, 2008
TO: Mr. Robert T. Hanlon
FAX: 815/206-6184
FROM: Dale D. Pierson
RE: Barker, *et al.* v. Local 150
Case No. 08 C 50015

NO. OF PAGES (INCLUDING COVER): 2

MESSAGE:

*** TX REPORT ***

TRANSMISSION OK

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**INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL 150 LEGAL DEPARTMENT**

6140 JOLIET ROAD
COUNTRYSIDE, ILLINOIS 60525
PHONE: 708/579-6663
FAX: 708/588-1647

FAX COVER SHEET

DATE: May 9, 2008
TO: Mr. Dean J. Polales
FAX: 312/977-4405
FROM: Dale D. Pierson
RE: Barker, *et al.* v. Local 150
Case No. 08 C 50015

NO. OF PAGES (INCLUDING COVER): 2

MESSAGE: